PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Alain TROESCH et al.

Application No.: 10/560,433

Filed: December 14, 2005 Docket No.: 126239

For: METHOD FOR DETECTING AND/OR IDENTIFYING BACTERIA OF THE GENUS

STAPHYLOCOCCUS

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR §1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the attached PTO-1449. Unless otherwise indicated herein, one copy of each reference is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

- 1. This Information Disclosure Statement is being filed (a) within three months of the U.S. filing date of this non-CPA application, OR (b) before the mailing date of a first Office Action on the merits in the present application. No certification or fee is required.
- 2. Relevance of one or more non-English language reference is discussed in the present specification. See References 19-30.
- 3. One or more reference cited herein was cited in the International Search Report. An English language version of the International Search Report is attached for the Examiner's information. See References 13, 31-33, 39, 49-51.
- 4. In accordance with 37 CFR §1.98(a)(2)(ii), copies of any U.S. patents and patent application publications are not attached.
- 5. An English language Abstract of one or more non-English language reference is attached hereto. See References 23, 24, 26-28, 31.

- 6. A computer-generated English language translation of one or more Japanese Patent Publication cited herein has been obtained from the website of the Japanese Patent Office ([http://www.jpo.go.jp]), and is attached, but has not been reviewed for accuracy. See Reference 31.
- 7. References <u>14, 15, 16, 17, 18</u> correspond to references <u>23, 26, 27, 28, 29</u> respectively.

Respectfully submitted,

William P. Berridge Registration No. 30,024

Scott M. Schulte Registration No. 44,325

WPB:SMS/cdk

Date: June 9, 2006

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| | | C'AN A THANK | ATEN | r DOCUM | IENTS | | | | |
| Examiner Initials | Cite No. | Document Number | Da | te | Name | | | | |
| | 1 | 4,683,195 | 07/28/19 | 87 | Mullis et al. | | | | |
| | 2 | 4,683,202 | 07/28/19 | 87 | Mullis | | | | |
| | 3 | 4,800,159 | 01/24/19 | 89 | Mullis et al. | | | | |
| , | 4 | 5,399,491 | 03/21/19 | 95 | Kacian et al. | | | | |
| | 5 | 5,234,809 | 08/10/19 | 93 | Boom et al. | | | | |
| | 6 | 4,672,040 | 06/09/19 | 87 | Josephson | | | | |
| | 7 | 5,750,338 | 05/12/19 | 98 | Collins et al. | | | | |
| | 8 | 4,981,783 | 01/01/19 | 91 | Augenlicht | | | | |
| | 9 | 5,700,637 | 12/23/19 | 97 | Southern | | | | |
| | 10 | 5,445,934 | 08/29/19 | 95 | Fodor et al. | | | | |
| | 11 | 5,744,305 | 04/28/19 | 98 | Fodor et al. | | | | |
| | 12 | 5,807,522 | 09/15/19 | 98 | Brown et al. | | | | |
| | 13 | 5,714,321 | 02/3/199 | 8 | Hogan | | | | |
| | 14 | 6,632,662 B1 | 10/14/2003 | | Broyer et al. | | | | |
| | 15 | 6,133,047 | 10/17/2000 | | Elaissari et al. | | | | |
| | 16 | 6,521,341 B1 | 02/18/20 | 03 | Elaissari et al. | | | | |
| | 17 | 5,695,926 | 12/09/19 | 97 | Cros et al. | | | | |
| | 18 | 2002/0187500 A1 | 12/12/20 | 02 | Laayoun | | | | |
| | | FORI | EIGN PATI | ENT DOC | UMENTS | · · · · · · · · · · · · · · · · · · · | | | |
| Examiner Initials | Cite No. | Document Number | Da | ite | Country | With English Abstract | With English Translation | | |
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| | OTHER DOCUMENTS | | | | | | | | |
| Examiner Initials | Cite No. | (Including Aut | thor, Title, | Date, Pert | inent Pages, etc.) | | | | |
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| | | FORE | EIGN PATI | ENT DOC | UMENTS | | | |
| Examiner Initials | Cite No. | Document Number | Date | | Country | | With English Abstract | With English Translation |
| | 19 | EP 0 201 184 A2 | 12/17/19 | 86 | EUROPE | | | |
| | 20 | WO 90/01069 A1 | 02/08/19 | 90 | WIPO | | | |
| | 21 | WO 90/06995 A1 | 06/28/1990 | | WIPO | | | |
| | 22 | WO 91/02818 A1 | 03/07/19 | 91 | WIPO | | | |
| | 23 | WO 00/05338 A1 | 02/03/20 | 000 | WIPO | | х . | |
| | 24 | WO 99/53304 A1 | 10/21/19 | 99 | WIPO | | х | |
| | 25 | WO 99/15321 A1 | 04/01/19 | 99 | WIPO | | | |
| | 26 | WO 97/45202 A1 | 12/04/19 | 97 | WIPO | | х | |
| | 27 | WO 99/35500 A1 | 07/15/19 | 99 | WIPO | | х | |
| | 28 | WO 91/19812 A1 | 12/26/19 | 91 | WIPO | | х | |
| | 29 | FR 2 780 059 A1 | 12/24/19 | 99 | FRANCE | | | |
| | 30 | WO 94/12670 A2 | 06/09/19 | 94 | WIPO | | | |
| | 31 | JP A 06-090798 | 04/05/19 | 94 | JAPAN | | х | х |
| | 32 | WO 02/08265 A2 | 01/31/20 | 002 | WIPO | | | |
| | 33 | WO 00/66788 | 11/09/20 | 000 | WIPO | | | |
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| Form PTO-14 (REV. 1/06) | 49 | • | | ATTY D 126239 | TTY DOCKET NO. 26239 | | APPLICATION NO. 10/560,433 | |
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| _ | | U. | S. PATEN | T DOCUM | IENTS | | | |
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| | | FORE | IGN PATI | ENT DOC | UMENTS | - 1 | | |
| Examiner Initials | Cite No. | Document Number | Da | ite | Country | | With English Abstract | With English Translation |
| | | | OTHER D | OCUMEN | NTS | | | |
| Examiner Initials | Cite No. | (Including Aut | hor, Title, | Date, Perti | nent Pages, etc.) | | | |
| | 34 | A.C. Whelen and David H. Persing, (19 | 996) "THE | ROLE O | F NUCLEIC ACID AMPLIFICA | TION ANI | D DETECTIO | N IN THE |
| | | CLINICAL MICROBIOLOGY LABOR | RATORY" | '; 50, pp 34 | 49 -373. | | | |
| | 35 | J.M. Hunt and D. H. Persing, (1993) "BACTERIAL DETECTION"; 2 ND Edition, Section 13, pp 525 -555. | | | | | | |
| | | | | | | | | - |
| | 36 | P.E. Nielsen et al. (1991) "SEQUENCE-SELECTIVE RECOGNITION OF DNA BY STRAND DISPLACEMENT WITH A | | | | | | |
| | | THYMINE-SUBSTITUTED POLYAMIDE"; 254, pp 1497-1500. | | | | | | |
| | 37 | R. Boom et al. (1990) "RAPID AND SIMPLE METHOD FOR PURIFICATION OF NUCLEIC ACIDS"; No. 28(3). pp 495-503. | | | | | | |
| | | | | | | | | |
| | 38 | P.R. Levison et al. (1998) "NEW APPI | ROACHES | то тне | ISOLATION OF DNA BY ION | EXCHAN | GE | |
| | | CHROMATOGRAPHY"; Journal of Chromatography A. 827 pp 337-344. | | | | | | |
| | 39 | W. Ludwig et al. (1992) "COMPLETE | 23S RIBC | SOMAL | RNA SEQUENCES OF GRAM- | POSITIVE | BACTERIA | WITH A |
| | | LOW DNA G+C CONTENT"; Syst. A | appl. Micro | obiol. 15, p | ор 487-501. | | | |
| | 40 | Larry Kricka (1999) "NUCLEIC ACID | DETECT | ION TEC | HNOLOGIES - LABELS, STRA | TEGIES, A | ND FORMAT | ſS"; Clinical |
| | | Chemistry 45(4), pp 453-458. | | | | | | |
| | 41 | G.H. Keller et al. (1993) "NON-RADIOACTIVE LABELING PROCEDURES" DNA Probes. 2 nd Edition, Sections 5 and 6, | | | | | | |
| | | pp 173 - 249. | | | | | | |
| • | 42 | Mark Chee et al. (1996) "ACCESSING | GENETIC | C INFORM | MATION WITH HIGH-DENSIT | Y DNA AF | RAYS"; Scie | nce |
| - | | Magazine, Vol. 274, pp 610-614. | | | | | | |
| | 43 | A.C. Pease et al. (1994) "LIGHT-GEN | ERATED (| OLIGONU | ICLEOTIDE ARRAYS FOR RA | PID DNA | SEQUENCE A | ANALYSIS"; |
| | | Proc. Natl. Acad. Sci. Vol. 91, pp 5022-5026. | | | | | | |
| | 44 | G, Ramsay (1998) "DNA CHIPS: STATE-OF-THE-ART" Nature Biotechnology, Vol. 16, pp 40-44. | | | | | | |
| | | | | | | | | |
| EXAMINER | | | | | | DATE C | ONSIDERED | |
| Examiner: | Initial if o | citation considered, whether or not citation considered. Include copy of this form with | on is in co | nformance munication | e with M.P.E.P. 609; draw line to applicant. | hrough cit | ation if not in | conformance |

| Form PTO-1449 US Dept. of Commerce (REV. 1/06) PATENT & TRADEMARK OFFICE | | ATTY DOCKET NO. 126239 | | APPLICATION NO. 10/560,433 | | | | |
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| | | U. | S. PATEN | T DOCUM | IENTS | | | |
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| | | FORE | IGN PATI | ENT DOC | UMENTS | | | |
| Examiner Initials | Cite No. | Document Number | Da | ite | Country | With English Abstract | With English Translation | |
| | | | OTHER D | OCUME | NTS | | | |
| Examiner Initials | Cite No. | (Including Author, Title, Date, Pertinent Pages, etc.) | | | | | | |
| | 45 | Frederic Ginot (1997) "OLIGONUCLEOTIDE MICRO-ARRAYS FOR IDENTIFICATION OF UNKNOWN MUTATIONS: | | | | | | |
| | | HOW FAR FROM REALITY?" Human Mutation, No. 10, pp 1-10. | | | | | | |
| | 46 | Jing Cheng et al. (1996) "MICROCHIP-BASED DEVICES FOR MOLECULAR DIAGNOSIS OF GENETIC DISEASES" | | | | | | |
| | | Molecular Diagnosis Vol. 1 No. 3 1996, pp 183-200. | | | | | | |
| | 47 Tierry Livache et al. (1994) "PREPARATION OF A DNA MATRIX VIA AN ELECTROCHEMICALLY DIRECTED | | | | | | D | |
| | | COPOLYMERIZATION OF PYRROLE AND OLIGONUCLEOTIDES BEARING A PYRROLE GROUP"; Nucleic Acids Research, Vol. 22, No. 15 pp 2915 - 2921. | | | | | | |
| | 48 | Jing Cheng et al. (1998) "PREPARATION AND HYBRIDIZATION ANALYSIS OF DNA/RNA FROM E. COLI ON | | | | | | |
| | | MICROFABRICATED BIOELECTRONIC CHIPS"; Nature Biotechnology, Vol. 16, pp 541-546. | | | | | | |
| | 49 | F.J. Schmitz et al. (1997) "SPECIFIC I | NFORMA | TION CO | NCERNING TAXONOMY, PATHOGEN | ICITY AND | | |
| | | METHICILLIN RESISTANCE OF STAPHYLOCOCCI OBTAINED BY A MULTIPLEX PCR"; J. Med. Microbiol, Vol. 46, pp 773-778. | | | | | | |
| | 50 | K.J. Edwards et al. (2001) "RAPID AN | ND ACCUI | RATE IDE | ENTIFICATION OF COAGULASE-NEGA | TIVE STAPHY | LOCOCCI | |
| | | BY REAL-TIME PCR"; Journal of Cli | inical Micr | obiology, | Vol. 39, No. 9, pp 3047-3051. | | | |
| | 51 | William Mason et al. (2001) "MULTIF | PLEX PCR | PROTOC | COL FOR THE DIAGNOSIS OF STAPHY | LOCOCCAL II | NFECTION"; | |
| | | Journal of Clinical Microbiology, Vol. 39, No. 9, pp 3332-3338. | | | | | | |
| EXAMINER | | | | | DATE | CONSIDERED | | |
| Examiner: | | citation considered, whether or not citation | | | e with M.P.E.P. 609; draw line through ci | tation if not in | conformance | |